

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WILLIAM R. KOWALSKI

Serial No.: 09/932,622

Filed: August 17, 2001



Group Art Unit No.: 1761

Attorney Docket No.: 2001-5

For: A PROCESS TO TREAT FISH WITH TASTELESS SMOKE OR CARBON
MONOXIDE THROUGH THE RESPIRATORY AND CIRCULATORY SYSTEMS

Commissioner of Patents and Trademarks
Washington, D. C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

The applicant would like to bring the examiner's attention to the following U.S. patents:

<u>Patentee</u>	<u>Patent No.</u>	<u>Issue Date</u>
Kowalski	5,972,401	10/26/1999
Yamaoka et al.	5,484,619	01/16/1996
Woodruff et al.	4,522,835	06/11/1985
P. Beebe, Jr.	3,122,748	06/17/1959
Bayer et al.	6,001,396	12/14/1999
Hood	4,016,292	04/05/1977
Kakolewski	5,464,638	11/07/1995

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The applicant also would like to bring the examiner's attention to the following
publications:

Mazzei Injector Corporation, Catalogue pages 1, 8, 22, and 28.

Holeton, George F., "Oxygen Uptake and Transport by the Rainbow Trout During Exposure
to Carbon Monoxide," August 5, 1970.

Fisher, et al., "Carbon monoxide diffusing capacity in the bullhead catfish," Journal of Applied Physiology, Vol. 26, No. 2, 161-169, February 1969.

Jensen, Frank B., et al., "Environmental perturbations of oxygen transport in teleost fishes: causes, consequences and compensations," Chapter six in Rankin, J. Cliff, et al., Fish Ecophysiology, Chapman and Hall, Fish and Fisheries, Series 9, 1993.

Iwashita, Hajimu, et al., "Concentration of Carbon Monoxide in Commercial Fish Flesh and in Fish Flesh Exposed to Carbon Monoxide Gas for Color Fixing," J. Food Hyg. Soc. Japan, Vol. 37, No. 2, 83-90, April 1996.

"Vascular transport and gaseous exchange: the circulatory and respiratory systems," Chapter four in Jobling, Malcolm, Environmental Biology of Fishes, Chapman and Hall, Fish and Fisheries, Series 16, 1995.

Keen, John E., et al., "Cholinergic and adrenergic regulation of heart rate and ventral aortic pressure in two species of tropical tunas, *Katsuwonus pelamis* and *Thunnus albacares*," Canada Journal of Zoology, Vol. 73: 1681-1688, 1995.

Brill, Richard W., et al., "Blood Volume, Plasma Volume and Circulation Time in a High-Energy-Demand Teleost, the Yellowfin Tuna (*Thunnus Albacares*)," The Journal of Experimental Biology, 201, 647-654, 1998.

Cooke, Steven J., et al., "The Influence of Terminal Tackle on Injury, Handling Time, and Cardiac Disturbance of Rock Bass," North American Journal of Fisheries Management, 21:333-342, 2001.

The applicant would also like to draw the examiner's attention to the following foreign patent:

<u>Country</u>	<u>Applicant</u>	<u>Publication Number</u>	<u>Publication Date</u>
JP(with abstract & Eng. trans.)	Yamaoka, et al.	08168337 A	July 2, 1996

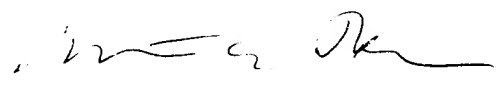
The relevance of these patents and publications is disclosed in the specification of this application.

Forms PTO/SB/08A and 08B are enclosed along with copies of the foregoing patents and publications.

The applicant submits that the above references, taken alone or in combination, neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

Date: 11/5/01


 Martin E. Hsia - 32,471
 Cades Schutte Fleming & Wright
 A Limited Liability Law Company
 P. O. Box 939
 Honolulu, Hawaii 96808
 (808) 544-3835

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	09/932,622
Filing Date	August 17, 2001
First Named Inventor	William R. Kowalski
Art Unit	1761
Examiner Name	
Attorney Docket Number	2001-5

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 5,972,401	10/26/1999	Kowalski	
		US- 5,484,619	01/16/1996	Yamaoka et al.	
		US- 4,522,835	06/11/1985	Woodruff et al.	
		US- 3,122,748	06/17/1959	P. Beebe, Jr.	
		US- 6,001,396	12/14/1999	Bayer et al.	
		US- 4,016,292	04/05/1977	Hood	
		US- 5,464,638	11/07/1995	Kakolewski	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		08168337 A	07/02/1996	Yamaoka, et al.		✓

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SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 3

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Application Number	09/932,622
Filing Date	August 17, 2001
First Named Inventor	William R. Kowalski
Group Art Unit	1761
Examiner Name	
Attorney Docket Number	2001-5

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Mazzei Injector Corporation, Catalogue pages 1, 8, 22 and 28.	
		Holeton, George F., "Oxygen Uptake and Transport by the Rainbow Trout During Exposure to Carbon Monoxide," August 5, 1970.	
		Fisher, et al., "Carbon monoxide diffusing capacity in the bullhead catfish," <u>Journal of Applied Physiology</u> , Vol 26, No. 2, 161-169, February 1969.	
		Jensen, Frank B., et al., "Environmental perturbations of oxygen transport in teleost fishes: causes, consequences and compensations," Chapter six in Rankin, J. Cliff, et al., <u>Fish Ecophysiology</u> , Chapman and Hall, Fish and Fisheries, Series 9, 1993.	
		Iwashita, Hajimu, et al., "Concentration of Carbon Monoxide in Commercial Fish Flesh and in Fish Flesh Exposed to Carbon Monoxide Gas for Color Fixing," <u>J. Food Hyg. Soc. Japan</u> , Vol. 37, No. 2, 83-90, April 1996.	
		"Vascular transport and gaseous exchange: the circulatory and respiratory systems," Chapter four in Jobling, Malcolm, <u>Environmental Biology of Fishes</u> , Chapman and Hall, Fish and Fisheries, Series 16, 1995.	
		Keen, John E., et al., "Cholinergic and adrenergic regulation of heart rate and ventral aortic pressure in two species of tropical tunas, <u>Katsuwonus pelamis</u> and <u>Thunnus albacares</u> ," <u>Canada Journal of Zoology</u> , Vol. 75, 1681-1688, 1995.	
		Brill, Richard W., et al., "Blood Volume, Plasma Volume and Circulation Time in a High-Energy-Demand Teleost, the Yellowfin Tuna (<u>Thunnus Albacares</u>)," <u>The Journal of Experimental Biology</u> , 201, 647-654, 1998.	

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Sheet	3	of	3

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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		<p>Cooke, Steven J., et al., "The Influence of Terminal Tackle on Injury, Handling Time, and Cardiac Disturbance of Rock Bass," <u>North American Journal of Fisheries Management</u>, 21:333-342, 2001.</p>

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